



Item 59ph

**Zone Hearings/App Ordinances/Restrictive Covenants
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**

AGENDA DATE: 4/6/2006

Subject: C14-06-0018 - 6203 Berkman Drive- Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6203 Berkman Drive (Fort Branch Creek Watershed) from family residence (SF-3) district zoning to multi-family residence-medium density (MF-3) district zoning. Planning Commission Recommendation: To be reviewed on May 23, 2006. Applicant and Agent: Troy Hanna. City Staff: Robert Heil, 974-2330.

Requesting Department: NPZD

For More Information: Robert Heil, 974-2330

ZONING CHANGE REVIEW SHEET

CASE: C14-06-0018 6203 Berkman Drive **P.C. Date:** March 28, 2006

ADDRESS: 6203 Berkman Drive

OWNER/APPLICANT/AGENT: Tory Hanna

ZONING FROM: SF-3 **TO:** MF-3 **AREA:** 0.5 acres

SUMMARY STAFF RECOMMENDATION:

Staff recommends denial of the zoning request.

P.C. NEIGHBORHOOD PLANNING SUB-COMMITTEE RECOMMENDATION:

January 11, 2006: Recommended that this case be postponed until the Windsor Park Neighborhood Plan has developed a draft future land use map or until May 23 which is six months after the first neighborhood planning workshop was held in Windsor Park.

PLANNING COMMISSION RECOMMENDATION:

March 28, 2006: Postponed the case until May 23rd, to allow time for the case to be considered along with the Windsor Park Neighborhood Plan.

DEPARTMENT COMMENTS:

Staff recommends postponement until July 27th.

The rezoning request is from family residence (SF-3) to multifamily residential medium density (MF-3) district zoning.

The site lies within the Windsor Park Neighborhood Planning area which held its first workshop November 5, 2005.

The site is an existing single family residence. To the south are apartments on MF-3 zoned land. To the east, behind the property are to large lot single family homes with multiple accessory out-buildings. To the north is a single family house on a very large SF-3 zoned lot. Across Berkman Drive to the west are more single family homes and a church.

Compatibility standards along the north and east property lines would severely restrict the amount of land available for multi-family construction. The site is bordered by primarily single family zoning and uses.

Staff recommends denial of the zoning request.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-3	Single Family House
<i>North</i>	SF-3 and MF-3	Single Family House and Apartments
<i>South</i>	MF-3 and SF-3	Apartments and Harris Elementary
<i>East</i>	SF-3	Single Family Homes
<i>West</i>	SF-3	Single Family Homes and Church

AREA STUDY: The site lies within the Windsor Park Neighborhood Planning area which held its first workshop November 5, 2005.

TIA: N/A

WATERSHED: Fort Branch Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

HILL COUNTRY ROADWAY: No

REGISTERED NEIGHBORHOOD AND COMMUNITY ORGANIZATIONS

- Windsor Park Neighborhood Association
- Mueller Neighborhoods Coalition
- Keep the Land
- Anberly Airport Association
- Austin Neighborhood Council
- PODER (People in Defense of Earth and her Resources)

SCHOOLS: (AISD ISD)

Harris Elementary School

Pearce Middle School

Reagan High School

ABUTTING STREETS:

Name	ROW	Pavement	Classification
Berkman Drive	50'	40'	Collector

- There are existing sidewalks along Berkman Drive.
- Berkman Drive is classified in the Bicycle Plan as a Priority 1 bike route.
- Capital Metro bus service is available along Berkman Drive.

CITY COUNCIL DATE:

ACTION:

C14-06-0018

ORDINANCE READINGS:

1st

2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Robert Heil
e-mail address: robert.heil@ci.austin.tx.us

PHONE: 974-2330

F-3

SF-3

GLENVALE DR

GLENCREST DR

FIRESTA

P

SP-04-0328CS
86-249
P81-27

HICKMAN AVE

PEGGY ST

CHURCH

CHATHAM AVE

BERKMAN DR

6203 BERKMAN DR

APTS.

67-128

MF-3

67-147

68-273

MF-3

APTS.

HARRIS ELEMENTARY

SCHOOL

WHEELS LN

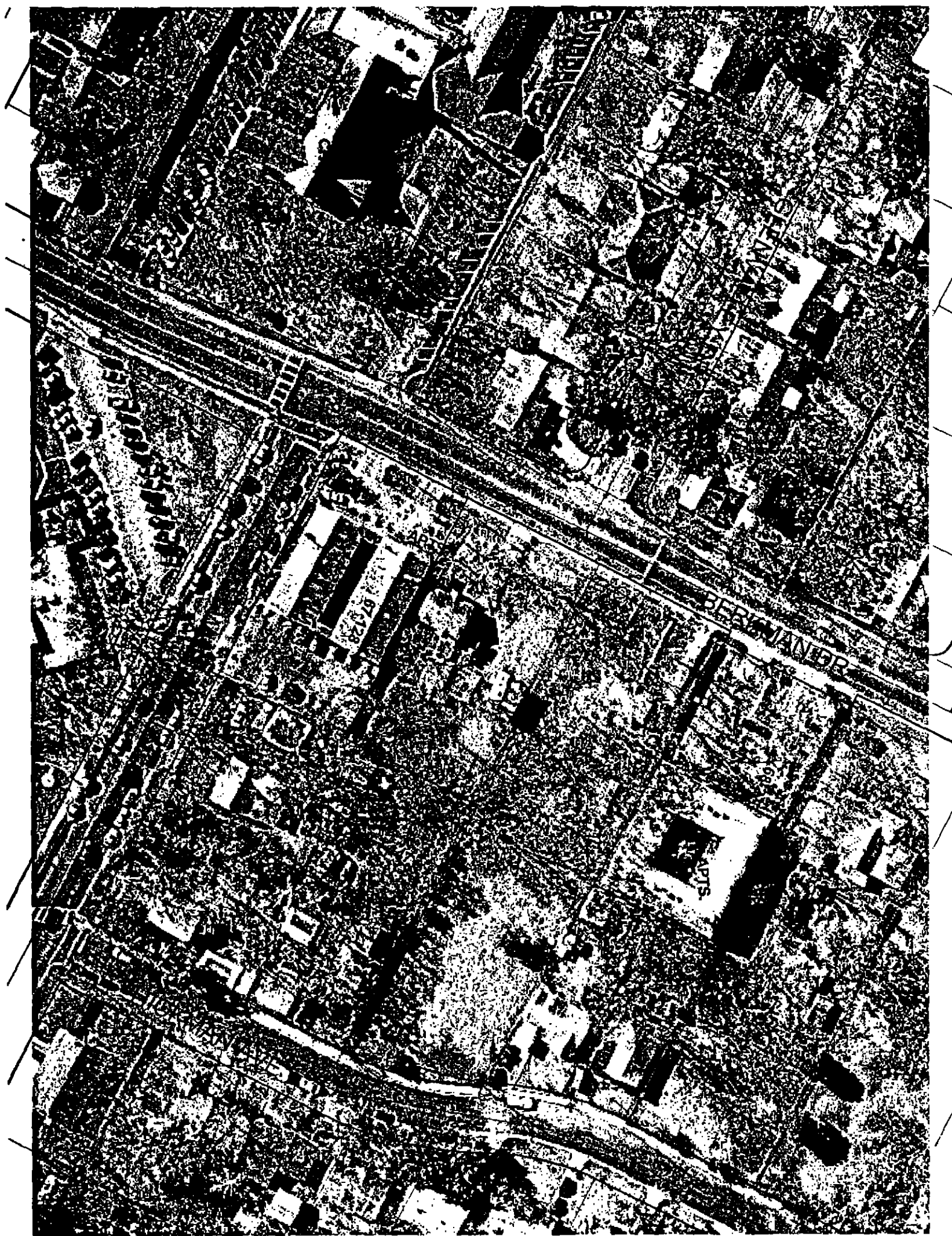
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LINDA LN

SF-3

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SUMMARY STAFF RECOMMENDATION

Staff recommends denial of the zoning request.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

1. *Zoning changes should promote compatibility with adjacent and nearby uses.*

Compatibility standards along the north and east property lines would severely restrict the amount of land available for multi-family construction. The site is bordered by primarily single family zoning and uses. Multi-family zoning would not be appropriate on the site.

EXISTING CONDITIONS

The site is an existing single family residence. To the south are apartments on MF-3 zoned land. To the east, behind the property are two large lot single family homes with multiple accessory out-buildings. To the north is a single family house on a very large SF-3 zoned lot. Across Berkman Drive to the west are more single family homes and a church.

Site Plan (NIKKI HOELTER 974-2863)

Site plans will be required for any new development other than single-family or duplex residential.

Any development which occurs in an SF-6 or less restrictive zoning district, such as the MF-3 which has been requested, which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

Compatibility Standards

The site is subject to compatibility standards. Along the west and north property lines, the following standards apply:

- No structure may be built within 25 feet of the property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- No parking or driveways are allowed within 25 feet of the property line.
- A fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.

- For a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive.
- An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property.
- Additional design regulations will be enforced at the time a site plan is submitted.

Transportation (AMY LINK 974-2628)

Dedication of additional right-of-way may be required during the subdivision or site plan review process.

The trip generation under the requested zoning is estimated to be 120 trips per day, assuming that the site develops to the maximum intensity allowed under the zoning classification (without consideration of setbacks, environmental constraints, or other site characteristics).

A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day. [LDC, 25-6-113]

Existing Street Characteristics:

Name	ROW	Pavement	Classification
Berkman Drive	50'	40'	Collector

There are existing sidewalks along Berkman Drive.

Berkman Drive is classified in the Bicycle Plan as a Priority 1 bike route.

Capital Metro bus service is available along Berkman Drive.

Water and Wastewater (PAUL URBANEK 974-3017)

The landowner intends to serve the site with City of Austin water and wastewater utilities. If water or wastewater utility improvements, or offsite main extension, or system upgrades, or utility relocation, or utility adjustments are required, the landowner, at own expense, will be responsible for providing. Also, the utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City design criteria. The utility construction must be inspected by the City. The landowner must pay the associated City fees.

Environmental (JASON TRAWEEK 974-2332)

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Fort Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.

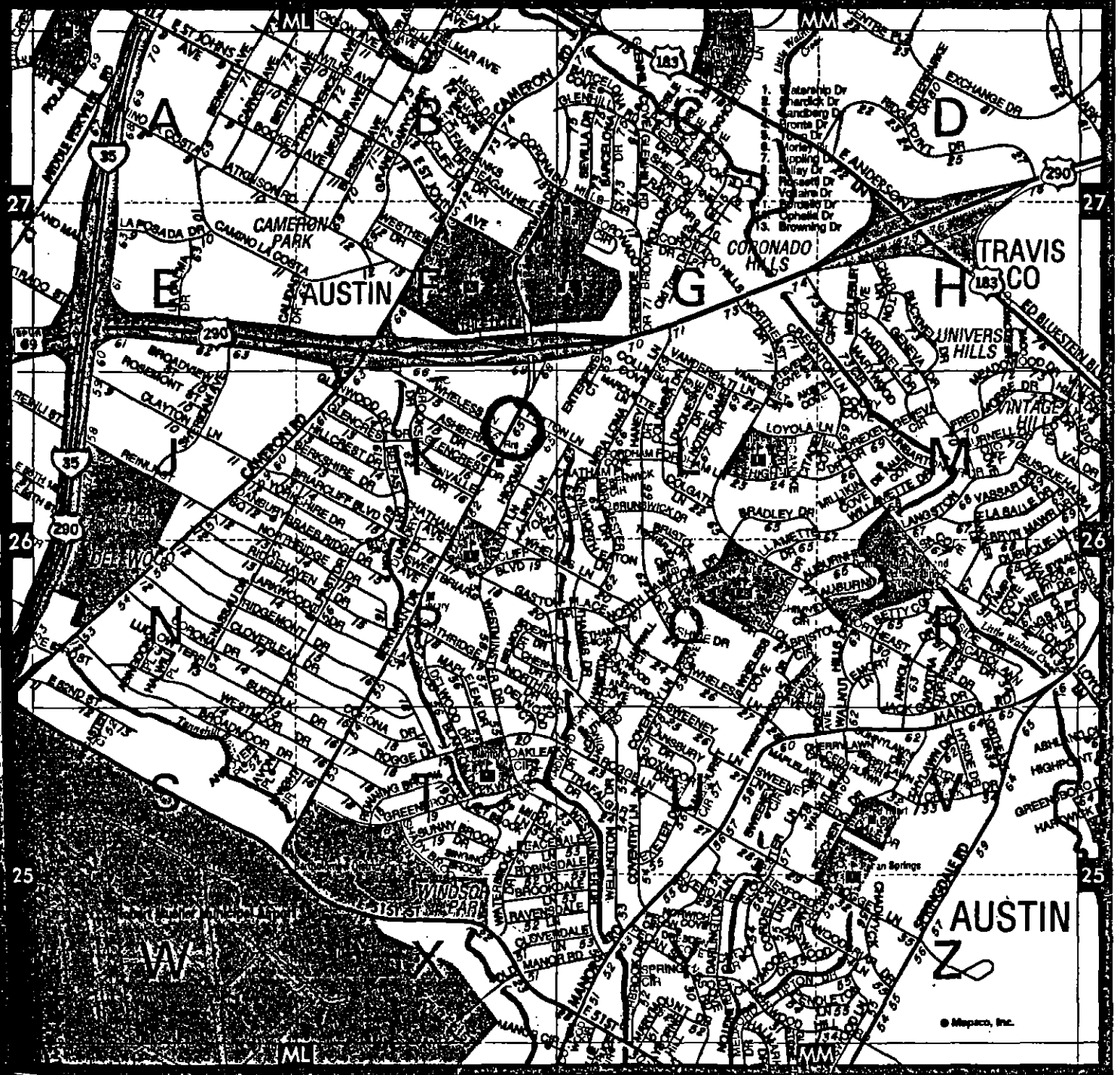
Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.

This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 s.f. cumulative is exceeded, and detention for the two-year storm. At this time, no information has been provided as to whether this property has any pre-existing approvals which would preempt current water quality or Code requirements.

According to flood plain maps, there is no flood plain within the project area.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

CONTINUED ON MAP 526



CONTINUED ON MAP 586

CONTINUED ON MAP 555

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CONTINUED ON MAP 557

SCALE IN MILES

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SCALE IN FEET

